

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID BRUTON,

No. C 12-5561 WHA (PR)

Plaintiff,

ORDER OF DISMISSAL

vs.

NAPA STATE HOSPITAL,

Defendant.

On December 21, 2012, plaintiff's civil rights complaint was dismissed for failure to present a cognizable claim for relief. Plaintiff was granted 30 days to file an amended complaint. He has failed to do so. This case is accordingly **DISMISSED** with prejudice. *See WMX Technologies v. Miaaller*, 104 F.3d 1133, 1136 (9th Cir. 1997) (when complaint has been dismissed with leave to amend and plaintiff does not amend, further district court determination is necessary). The clerk shall close the file.

IT IS SO ORDERED.

Dated: February 25, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE